

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

<p>HOLLI TELFORD personally and as assignee of the claims of Brenda Burton,</p> <p>Plaintiff,</p> <p>vs.</p> <p>RON A. BRADEEN, BRADEEN REAL ESTATE, JEFF STORM, FALL RIVER COUNTY SHERIFF ROBERT EVANS and SA DANE RASMUSSEN, in their official capacities,</p> <p>Defendants.</p>	<p>CIV. 17-5042-JLV</p> <p>ORDER</p>
---	--------------------------------------

This case centers on an online sale of land in South Dakota to plaintiff. See Docket 51 at pp. 3-6. The court dismissed plaintiff's claims against all defendants. (Dockets 51 & 120). Plaintiff appealed the court's judgment to the United States Court of Appeals for the Eighth Circuit. (Docket 134). The Eighth Circuit remanded the case to this court for the limited purpose of determining the date plaintiff filed her notice of appeal. (Docket 140). The physical version of the notice of appeal in question is stored at the Rapid City, South Dakota, office of the Clerk of Court. Now pending before the court is defendants Ron Bradeen's, Bradeen Real Estate's, and Jeff Storm's motion to allow an "expert document examiner," Wendy Carlson "to conduct a non-destructive analysis" of the notice of appeal. (Docket 144 at p. 2). The court directed plaintiff to respond to this motion by April 15, 2019. (Docket

145). She did not file any response. The court concludes plaintiff does not object to defendants' motion to allow their expert to examine the notice of appeal.

Good cause appearing, it is

ORDERED that defendants' motion to inspect the notice of appeal (Docket 144) is granted. Defendants' expert Wendy Carlson may examine the notice of appeal on April 24 in the Rapid City office of the Clerk of Court. Ms. Carlson may not damage or otherwise alter the document in conducting her analysis.

Dated April 17, 2019.

BY THE COURT:

/s/ *Jeffrey L. Viken*

JEFFREY L. VIKEN
CHIEF JUDGE